

**MINUTES OF LAYTON CITY  
COUNCIL MEETING**

**JUNE 6, 2013; 7:03 P.M.**

**MAYOR AND COUNCILMEMBERS  
PRESENT:**

**MAYOR J. STEPHEN CURTIS, MICHAEL  
BOUWHUIS, JOYCE BROWN, BARRY FLITTON,  
JORY FRANCIS AND SCOTT FREITAG**

**STAFF PRESENT:**

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,  
KEVIN WARD, JIM MASON, KENT ANDERSEN  
AND THIEDA WELLMAN**

**The meeting was held in the Council Chambers of the Layton City Center.**

Mayor Curtis opened the meeting. Boy Scout Cade Herget with Troop 432 led the Pledge of Allegiance. Dawn Fitzpatrick gave the invocation. Scouts from Troops 432, 145 and 41 were welcomed.

**MINUTES:**

**MOTION:** Councilmember Brown moved and Councilmember Bouwhuis seconded to approve the minutes of:

**Layton City Council Budget Work Meeting – March 4, 2013; and  
Layton City Council Strategic Planning Work Meeting – April 25, 2013.**

The vote was unanimous to approve the minutes as written.

**MUNICIPAL EVENT ANNOUNCEMENTS:**

Councilmember Brown said this Saturday was free fishing day in Utah. She said the Parks and Recreation Department had an activity planned at Andy Adams Park from 10:00 a.m. to noon. Councilmember Brown said there would be free samples of Dutch oven cooking and a class on cooking fish. She said free fishing would be available at Andy Adams pond.

Councilmember Bouwhuis said Sounds of Freedom would be this Saturday as well. He said activities would include a car show, music and helicopter rides.

Councilmember Flitton said at a recent Davis Chamber meeting UDOT presented additional information on the West Davis Corridor. He said there would be additional public meetings, including a meeting on June 11th at the Legacy Event Center in Farmington and June 12th at West Point Elementary School. Councilmember Flitton encouraged everyone to attend the meetings and give input about the Corridor.

**PRESENTATIONS:**

**RECOGNITION OF COMMUNITY EMERGENCY RESPONSE TEAM (CERT) GRADUATES**

Kevin Ward, Fire Chief, explained the CERT program. He mentioned some of the emergencies that had recently happened across the nation. Kevin said citizens would be called on to help in an emergency. He said there were 2,100 CERT trained residents in the City. The recent graduates were introduced and came forward to shake hands with the Mayor and Council.

## **CONSENT AGENDA:**

### **REQUEST TO MODIFY EXISTING SPRINT SPECTRUM WIRELESS COMMUNICATION FACILITY – 1925 NORTH FORT LANE (LAYTON CITY PUBLIC WORKS BUILDING) – RESOLUTION 13-26**

Gary Crane, City Attorney, said cell towers were located in various places around the City. He said most of the towers were located on public property and the cell companies paid to lease the property. Gary said this particular cell tower was located on the Public Works Shop property and the cell company wanted to make some minor changes to the equipment at that location, particularly to run new fiber to the tower. He said the lease agreement required approval from the City to make those changes. Gary said Resolution 13-26 would authorize those changes. He said Staff recommended approval.

Councilmember Flitton asked if this would be UTOPIA fiber.

Gary said no, it was specifically for the wireless service and was their fiber.

### **FIRST AMENDMENT TO THE 2002 TREATMENT CONTRACT WITH NORTH DAVIS SEWER DISTRICT – RESOLUTION 13-28**

Gary Crane said when the North Davis Sewer District did bonding, the bonding companies reviewed the contracts the Sewer District had with the cities the Sewer District served. He said the bonding companies wanted those contracts to be consistent, time wise, with the term of a bond. Gary said this change would extend the current agreement 50 years into the future. He said Staff recommended approval.

Councilmember Bouwhuis said the Sewer District discovered this as they had gone into the bond market. He said the bonding companies refused to give a rating or extend bonds unless those contracts were in place. Councilmember Bouwhuis said unless a city wanted to build a \$200,000,000 sewage treatment plant, these agreements were necessary to protect the Sewer District and allow them to bond to pay for new infrastructure and improvements.

Gary said the City appreciated Councilmember Bouwhuis' service on the Sewer District Board.

### **PLAT AMENDMENT REQUEST – VILLAS ON MAIN – 1425 NORTH MAIN STREET**

Bill Wright, Community and Economic Development Director, said this was a plat amendment request for the Villas on Main located at 1425 North Main Street. He said the plat amendment would add .96 acres of property to the project. Bill said the property was located on the south side of the project. Bill said the Council recently approved the rezone of this property to allow for one additional building with 24 units to be constructed. He said the Planning Commission recommended approval and Staff supported that recommendation.

### **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SUPPORT FOR THE HAVE A HEART PROGRAM TO CONSTRUCT A HOME – 415 W. WEAVER LN. – RESOLUTION 13-29**

Kent Andersen, Economic Development Specialist, said Resolution 13-29 would approve CDBG support for Have a Heart construction of one home located at 415 West Weaver Lane. Kent explained the program the City participated in with the Davis School District in constructing homes for needy families, specifically a police officer, firefighter or school teacher. He said the home on lot 2 of Weaver Lane, a two lot subdivision, was completed and the plan was to move forward with a home on lot 1 this coming school year. Kent said unfortunately the School District would be unable to proceed with development this coming year, but did want to continue to partner with the City in the following year.

Kent said the Have a Heart group had need of a lot to build a home. He said the Have a Heart organization

was a partnership between the Northern Wasatch Homebuilders Association and the Northern Wasatch Association of Realtors. Kent said they used contractors that donated their time and materials to build a home for a needy family. He said Have a Heart would meet the same intent the City had with the School District. Kent said Resolution 13-29 would transfer the property, lot 1 of the subdivision that was returned from the School District, to the Have a Heart program to construct a home for a needy family this upcoming program year.

Kent said Layton City would still participate in verifying income for the selected applicant, but it was the Have a Heart Board that would select the individual family. He said they typically tried to find a family that had a disability or some pressing need and then design the home around that need. Kent said Staff would also have input on the home design. He said Staff recommended approval.

Councilmember Flitton asked if there would be the same criteria relative to restrictions for selling the home within a certain period of time.

Kent said yes; the only difference was that Have a Heart would be selecting the applicant for the home and it could go beyond a police officer, firefighter or teacher. He said there would be the same program requirements with the payback period, the secondary silent note the City carried, and income restrictions.

Councilmember Francis asked if it would be a Layton resident.

Kent said it could be a resident from outside the City.

Mayor Curtis said they would become a Layton resident.

Councilmember Brown said some of the other homes have not necessarily been a Layton resident; they might have worked for the City as a firefighter or police officer, or worked for the School District, but they moved into the community that they served. She said lot 2 that was recently completed went to a police officer and his family that had a child with special needs. Councilmember Brown said the spouse also worked for the School District.

Councilmember Bouwhuis said approximately six years ago this group worked with the City in building homes. He said they were very nice homes consistent with the School District homes.

**MOTION:** Councilmember Bouwhuis moved to approve the Consent Agenda as presented. Councilmember Flitton seconded the motion, which passed unanimously.

## **PUBLIC HEARINGS:**

### **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED PLAN 2013-2017 AND ANNUAL ACTION PLAN 2013-2014 – RESOLUTION 13-27**

Kent Andersen said Resolution 13-27 was for approval of the CDBG Consolidated Plan for 2013-2017 and the Annual Action Plan for 2013-2014. He said the first required public hearing for this was held in February; this was the second and final public hearing. Kent said the CDBG was administered by the Department of Housing and Urban Development (HUD). He said Layton City was an entitlement community and received an annual allocation. Kent said part of that allocation requirement was to develop a five year consolidated plan and an annual plan that correlated with the five year plan.

Kent explained the requirements of the Consolidated Plan and the Annual Action Plan. He explained the need to support public service entities and the proposed activities and funding. Kent explained why the City was receiving an additional \$30,000 allocation in the 2013 fund year.

Councilmember Freitag asked if there were other options in the downtown area besides the rehabilitation of a

building; particularly at the corner of Main Street and Gentile Street.

Mayor Curtis said that property was owned by UDOT.

Kent said CDBG funding would be limited on that property to putting in a small park or providing a loan to a business.

Councilmember Freitag said he didn't know that cleaning up that corner was more or less important than redoing a building. He said the building on that corner had been upgraded, but you had to look through the weeds to get to it. Councilmember Freitag said if part of the CDBG funding could be used to renovate the downtown area, could it be used on this property.

Bill Wright said the City had multiple strategies for the downtown area, and different funding sources. He said the City continued to work with UDOT to move that property out of their ownership and into private ownership so that development could occur. Bill said one opportunity that the City might employ would be the use of RDA funds to help with a building on that property. He said the rehabilitation of some of the existing buildings might be a better fit for some of the CDBG funds; the RDA funds would be a good source of funding for that.

Councilmember Freitag said he just wanted UDOT to clean up the lot.

Bill said they would get an email tomorrow about the weeds on the lot. He said the City would really like UDOT to get the property into private ownership so that it could be developed.

Councilmember Flitton asked if the funding amounts were based on history and were they negotiable between the different entities.

Kent said all of the funding amounts were subject to Council approval, but there were caps on some of the activities. He said some did follow traditional models that the City had previously followed, specifically for the public services, administration and the home buyer assistance program. Kent said the funds could be reallocated.

Councilmember Flitton said the Layton Community Action Council involved a lot of youth, including the Youth Court. He said he would like to see more funding for that program.

Kent said their director, Val Stratford, had requested \$8,000, which was what was funded.

Alex Jensen, City Manager, said the amount of funding that could go to public service agencies was capped at \$46,500. He said if the Council wanted to give more money to one agency, it would need to be taken from another agency.

**Mayor Curtis opened the meeting for public input.**

Danene Adams, Assistant Executive Director with Family Connection Center, thanked the Mayor and Council for their consideration. Ms. Adams said Family Connection Center had been located in Layton since 1985. She said approximately 22% of the clients they served resided in Layton. Ms. Adams said part of the \$25,000 they received would go for their family support program, which included child abuse prevention. She explained some of the other programs they provided.

Ms. Adams said in their 2010/11 fiscal year they saw a \$40,000 cut from State funding. She said Davis County had the highest death rates due to child abuse. She said they had great staff and they were able to find funding so that no families were dropped from service. Ms. Adams said for the 2013/14 year they were seeing a \$110,000 cut in funding from the State, specifically toward their parent education program. She said they truly appreciated the City's support.

Nicole Nance, Safe Harbor Crisis Center, explained the services they provided to domestic violence and sexual assault victims in Davis County, with a lot in Layton. Ms. Nance said in the last year they provided 1,332 protective shelter nights to mothers and children from Layton. She said that was a lot of service provided for the \$10,000 they received from the City. Ms. Nance said clients were provided with shelter, food, clothing and case management. She said they could enroll in classes where they learned more about the cycle of violence and positive parenting so that they could overcome the impact. Ms. Nance said there was an intergenerational impact of violence on children; where they were exposed to violence at home they were more likely to grow up and bring violence into their lives as adults.

Ms. Nance said the funding was very important for Safe Harbor to be able to provide those services to empower women to protect their children and stop the cycle of violence, which would help the community as a whole. She said they appreciated past support and hoped to be able to continue to receive that support in the future.

Matt Minkovitch, Team Member at the Road Home, thanked the Council for their support. Mr. Minkovitch said they served over 6,700 individuals over the course of a year; and last year they served 700 families. He said they were focusing most of their efforts on getting people into housing and out of shelters. Mr. Minkovitch thanked the City for the \$3,500 funding amount.

Scott Quinney, representing the Layton Community Action Council, asked if the maximum amount of \$46,500 awarded to the public service agencies could be increased.

Alex Jensen, City Manager, said federal law would not allow that to be increased.

Mr. Quinney said that amount should be doubled and taken from other areas of the Plan. He said that would be a much better use of the money. Mr. Quinney thanked the Council for their continued support.

**MOTION:** Councilmember Freitag moved to close the public hearing and adopt Resolution 13-27, approving the CDBG Consolidated Plan and Annual Action Plan. Councilmember Francis seconded the motion, which passed unanimously.

#### **CITIZEN COMMENTS:**

Dr. Wynn Stanger, 1418 East 800 North, thanked the Council for their service. Dr. Stanger mentioned the condition of the tennis courts at Andy Adams Park. He said the accident potential was a consideration, and waiting too long to make the repairs could require additional funding to replace the courts. Dr. Stanger said the courts at Andy Adams Park received a lot of use and they needed to be repaired.

Mayor Curtis said every year the Recreation Department resurfaced a court in the City. He said he wasn't sure if Andy Adams would be resurfaced this year, but it was a high possibility.

Alex said Councilmember Flitton did raise this issue in the earlier work meeting and he would follow up on it. He said he would get back with Dr. Stanger.

**The meeting adjourned at 7:57 p.m.**

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Thieda Wellman, City Recorder